

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Southern California Edison Company (U 338-E) for Approval of Agreements to Sell Its Interests in Four Corners Generating Station and Palo Verde Nuclear Generating Station.

A.00-05-024  
(Filed May 15, 2000)

**OPINION GRANTING PETITION  
BY SOUTHERN CALIFORNIA EDISON COMPANY  
TO WITHDRAW ITS APPLICATION**

Southern California Edison Company (SCE) petitions for approval to withdraw its application to sell its interests in Four Corners Generating Station and Palo Verde Nuclear Generating Station. SCE originally sought authorization to sell its interests in these two plants in order to determine the value of SCE's interest in the Four Corners plant as a part of SCE's compliance with the requirement of Section 367(b) that the utilities' non-nuclear generating facilities, including SCE's Four Corners interest, be valued by "appraisal, sale or other divestiture" by year-end 2001. In April 2000, following negotiations, SCE and Pinnacle West Energy Corp. (PWE) had entered into sales contracts for SCE's Four Corners and Palo Verde interests. Under both contracts, the parties' obligation to close the transaction was conditional upon, among other things, final Commission approval of the sale. In January 2001, following continued volatility in the California electricity market, Administrative Law Judge (ALJ) Barnett suspended further proceedings on the application. Shortly thereafter,

California enacted ABX1-6, which prohibits any sale of utility facilities for the generation of electricity, including SCE's Four Corners and Palo Verde interests, until 2006. SCE accordingly petitions to withdraw this application.

The Utility Reform Network (TURN) supports ending this proceeding, but suggests that the better course would be a Commission decision dismissing the application, based solely on ABX1-6. The dismissal should also acknowledge that there are intervenor compensation-related issues that the Commission will ultimately need to address in this proceeding. TURN recommends that we include an Ordering Paragraph similar to Ordering Paragraph 4 from D.01-02-040, the opinion granting the motion of MCI WorldCom and Sprint Corporation to withdraw their merger application (A.99-12-012):

Nothing in this decision shall preclude any party already deemed eligible for intervenor compensation from seeking such compensation in this proceeding, or, to the extent this proceeding's record is used in other proceedings, in those other proceedings, provided there is no duplicate compensation.

We grant SCE's petition to withdraw its application, based on ABX1-6. We will not be drawn into a semantic argument between "withdraw" versus "dismiss". We will protect the right of eligible parties to request intervenor compensation.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

**O R D E R**

**IT IS ORDERED** that:

1. This application is withdrawn.
2. Eligible parties may request intervenor compensation.
3. This proceeding is closed.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.